

## **REMARKS**

The prosecution of this case has been transferred. It was believed that a *Preliminary Amendment* filed originally with the case provided the case only five (5) total Claims, Claims 42-46.

This understanding was not only from the concurrently filed *Preliminary Amendment* when the case was originally filed, but also from the *Filing Receipt* for the case, indicating only five (5) total Claims were pending upon filing. New counsel's filing in response to the 14 March 2006 *Restriction Requirement* thus assumed the only Claims pending were Claims 42-46.

The Legal Instrument Examiner's *Notice of Non-Compliant Amendment* mailed 23 May 2006 illustrates to new counsel that for purposes of this case, the status of Claims 1-41 and 47-61 must be provided, and as they were not accounted for in the 18 May 2006 *Response to Restriction Requirement*, that filing was non-compliant. Counsel apologizes for the oversight.

Claims 1-41 and 47-61 are herein shown as canceled. Claim 45 is provided the status as if the 18 May 2006 *Response to Restriction Requirement* was not entered, thus showing "currently amended". If the prior *Response to Restriction Requirement* was indeed entered, Counsel respectfully requests the Examiner accept Claim 45 be "previously presented".

### **1. Docket Number and Change in Correspondence Address**

Applicant respectfully requests the docket number of this Application be changed from 07648.0023-01 to GTRC156DIV. The prosecution of this Application has been transferred to a new law firm, and its docketing procedures would benefit with this new docket number. A *Revocation and Appointment of Power of Attorney* to the present firm, and a *Change of Correspondence Address* was filed **14 January 2005** in the USPTO to reflect that the new law firm is now prosecuting this Application.

Although the transferring documents were filed January 2005, for the last sixteen months, correspondence still goes to prior counsel. New counsel respectfully requests it be recognized for all communications.

### **2. Fees**

This *Response and Amendment to Notice of Non-Compliant Amendment* is being filed within six months of the *Notice Of Non-Compliant Amendment*, and more specifically within one month, thus no extension fees are believed due.

This *Response and Amendment to Notice of Non-Compliant Amendment* has not added to the number of pending Claims. Thus, no Claim fees are believed due.

Nonetheless, should any further fees be due, authorization to charge deposit account No. 20-1507 is hereby expressly given.

**CONCLUSION**

By the present *Response and Amendment to Notice of Non-Compliant Amendment*, the Application has been in placed in full condition for allowance. Accordingly, Applicant respectfully requests early and favorable action. Should the Examiner have any further questions or reservations, the Examiner is invited to telephone the undersigned Attorney at 404.885.2773.

Respectfully submitted,

**Certificate of Transmission:**

I hereby certify that this correspondence is being submitted by e-filing to the US Patent and Trademark Office in accordance with §1.8 on this date via the EFS-Web electronic filing system.

/Ryan A. Schneider 45083/

/Ryan A. Schneider 45083/

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Ryan Schneider  
Registration No. 45,083

Troutman Sanders LLP  
Bank of America Plaza  
600 Peachtree Street, N.E., Suite 5200  
Atlanta, Georgia 30308-2216  
United States  
Phone: 404.885.2773  
Fax: 404.962.6849